

JUN 18 2007

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHNNIE OMAR SPENCER, #312826,

Petitioner,

v.

GENE M. JOHNSON, Director of
Virginia Department of Corrections,
Respondent.

Civil Action No. 7:07cv00112

FINAL ORDER

By: Jackson L. Kiser
Senior U.S. District Judge

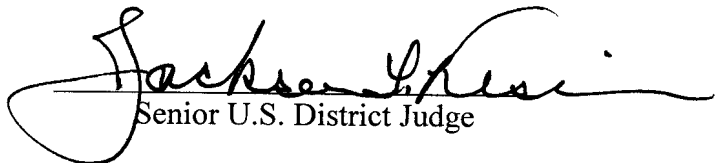
In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that respondent's motion to dismiss shall be and hereby is **GRANTED**; Spencer's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 shall be and hereby is **DISMISSED**; and this case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order and accompanying Memorandum Opinion to the petitioner and respondent.

ENTER: This 18th day of June, 2007.


Senior U.S. District Judge